

4-37-204 Sale of aquatic animals from aquaculture facilities.

- (1)
 - (a) Except as provided by Subsection (1)(b), a person holding a certificate of registration for an aquaculture facility may take an aquatic animal as approved on the certificate of registration from the facility at any time and offer the aquatic animal for sale; however, live aquatic animals may be sold within Utah only to a person who has been issued a certificate of registration to possess the aquatic animal.
 - (b) A person who owns or operates an aquaculture facility may stock a live aquatic animal in a private fish pond if the person:
 - (i) obtains a health approval number for the aquaculture facility;
 - (ii) provides the private fish pond's owner with a brochure published by the Division of Wildlife Resources that summarizes the statutes and rules related to a private fish pond and the possession of an aquatic animal;
 - (iii) inspects the private fish pond to verify that the private fish pond is in compliance with Subsections 23-15-10(2) and (3)(c); and
 - (iv) stocks the species, strain, and reproductive capability of aquatic animal authorized by the Wildlife Board in accordance with Section 23-15-10 for stocking in the area where the private fish pond is located.
- (2) An aquatic animal sold or transferred by the owner or operator of an aquaculture facility shall be accompanied by the seller's receipt that contains the following information:
 - (a) date of transaction;
 - (b) name, address, certificate of registration number, health approval number, and signature of seller;
 - (c) number and weight of aquatic animal by:
 - (i) species;
 - (ii) strain; and
 - (iii) reproductive capability; and
 - (d) name and address of the receiver.
- (3)
 - (a) A person holding a certificate of registration for an aquaculture facility shall submit to the department an annual report of each sale of live aquatic animals or each transfer of live aquatic animals to:
 - (i) another aquaculture facility; or
 - (ii) a fee fishing facility.
 - (b) The report shall contain the following information:
 - (i) name, address, and certificate of registration number of the seller or supplier;
 - (ii) number and weight by species;
 - (iii) date of sale or transfer; and
 - (iv) name, address, phone number, and certificate of registration number of the receiver.
- (4)
 - (a) A person who owns or operates an aquaculture facility shall submit to the Division of Wildlife Resources an annual report of each sale or transfer of a live aquatic animal to a private fish pond.
 - (b) The report shall contain:
 - (i) the name, address, and health approval number of the person;
 - (ii) the name, address, and phone number of the private fish pond's owner or operator;
 - (iii) the number and weight of aquatic animal by:
 - (A) species;

- (B) strain; and
 - (C) reproductive capability;
 - (iv) date of sale or transfer;
 - (v) the private fish pond's location; and
 - (vi) verification that the private fish pond was inspected and is in compliance with Subsections 23-15-10(2) and (3)(c).
- (5) The reports required by Subsections (3) and (4) shall be submitted before:
- (a) a certificate of registration is renewed or a subsequent certificate of registration is issued for an aquaculture facility in the state; or
 - (b) a health approval number is issued for an out-of-state source.

Amended by Chapter 378, 2010 General Session